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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,733	06/29/2001	Eric B. Remer	P 280356 P10199	3347

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EXAMINER

PATEL, NIKETA I

ART UNIT PAPER NUMBER

2182

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/893,733	Applicant(s) REMER, ERIC B.	
	Examiner Niketa I. Patel	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☒ Claim(s) 4-6, 16, 22 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 4-6, 16 and 22-23 are objected to because of the following informalities:

- a. In claim 4, line 8 recites, 'requesting the configuration **configuration** from the' . Appropriate correction is required. Claims 5-6 depends from claim 4 therefore inherit the same deficiency.
 - b. In claim 16, line 5 the word **mechanism** is misspelled.
 - c. In claim 22, line 2 the word **registration** is misspelled. Claim 23 depends from claim 4 therefore inherit the same deficiency.
- Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United

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States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 7, 10-18, 20, 22-27 and 29-30 rejected under 35 U.S.C. 102(e) as being anticipated by Cochran et al. U.S. Patent Application Publication No.: 2002/0161867 A1, hereinafter '*Cochran.*'

4. **Referring to claims 1, 7, 14, 17-18, 24, 29, Cochran** teaches sending, by a self-initiated configuration mechanism in a headless device, a configure service request to a configuration service mechanism across network, the service request asking for a configuration specification corresponding to the headless device [see paragraphs 37, 39]; returning, by the configuration service mechanism, the configuration specification to the self-initiated configuration mechanism [see paragraph 39]; and configure, by the self-initiated configuration mechanism, the headless device according to the configuration specification received from the configuration service mechanism [see paragraph 39.]

5. **Referring to claim 2, Cochran** teaches registering the headless device, prior to the sending, with the configuration service mechanism using a device identification of the headless device [see paragraph 37.]

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6. **Referring to claim 3**, *Cochran* teaches receiving, by the configuration service mechanism from a configuration specification setup mechanism, a request to set up the configuration specification of the headless device, the request including the device identification [see paragraphs 37, 39]; recording the device identification of the headless device to register the headless device [see paragraphs 37, 39]; and storing the configuration specification of the headless device [see paragraphs 37, 39.]

7. **Referring to claims 10, 30**, *Cochran* teaches receiving a request from a headless device with a device identification associated with the headless device [see paragraphs 37, 39]; initializing a configuration specification of the headless device, if the request requests to set up an initial configuration specification of the headless device with the configuration service [see paragraphs 37, 39]; updating the configuration specification of the headless device, if the request requests to update the current configuration specification of the headless device [see paragraph 40]; and forwarding the configuration specification of the headless device to a routable address received with the request, if the request requests a configuration service [see paragraphs 37, 39.]

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8. **Referring to claim 11**, *Cochran* teaches wherein the initializing comprises: registering the headless device using the device identification [see paragraphs 37, 39]; setting up the initial configuration specification of the headless device [see paragraphs 37, 39]; and storing the initial configuration specification of the headless device as the current configuration specification of the headless device [see paragraphs 37, 39.]

9. **Referring to claim 12**, *Cochran* teaches wherein the updating comprises: updating the current configuration specification of the headless device to generate an updated configuration specification of the headless device [see paragraph 40]; and replacing the current configuration specification with the updated configuration specification [see paragraph 40.]

10. **Referring to claim 13**, *Cochran* teaches wherein the forwarding comprises: retrieving the configuration specification of the headless device using the device identification [see paragraphs 37, 39]; and sending the configuration specification, retrieved by the retrieving, to the routable address [see paragraphs 37, 39.]

11. **Referring to claim 15**, *Cochran* teaches wherein the headless device comprises: a communication mechanism for perform communications across the network [see paragraphs 37, 39]; and a

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self-initiated configuration mechanism for configuring the headless device using a configuration specification that is set up for the headless device in the configuration service mechanism and received, upon a request, from the configuration service mechanism via the communication mechanism [see paragraphs 37, 39.]

12. **Referring to claim 16**, *Cochran* teaches further comprising: a configuration specification set up mechanism connecting to the configuration service mechanism via the network for setting up the configuration specification of the at least one headless device, the setting up including initializing a configuration specification of a headless device when the headless device is initially registered with the configuration service mechanism and updating the configuration specification of a headless device that is previously registered with the configuration service mechanism [see paragraph 40.]

13. **Referring to claim 20**, *Cochran* teaches wherein the configuration specification retrieval mechanism comprises: a request initiation mechanism for initiating a request to the configuration service mechanism to retrieve the configuration specification based on the device identification, the request being sent with the device identification and the routable address, to where the retrieved configuration specification is

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sent [see paragraphs 37, 39]; and a receiver for receiving, after the request is sent, the configuration specification from the configuration service mechanism [see paragraphs 37, 39.]

14. **Referring to claim 22**, *Cochran* teaches a configuration service mechanism, comprising: a registration mechanism for registering a headless device with an initial configuration specification using a device identification corresponding to the headless device [see paragraphs 37, 39]; an on-line configuration mechanism for providing configuration service to a headless device by retrieving and sending, upon a request, the configuration specification of a registered headless device to a specified routable address [see paragraph 40]; and an updating mechanism for facilitating the update of the configuration specification of a registered headless device [see paragraphs 40.]

15. **Referring to claim 23**, *Cochran* teaches a network communication mechanism for performing communications [see paragraphs 37, 39]; and a configuration specification storage for storing the configuration specification of a headless device, the configuration specification being accessed based on the device identification of the headless device [see paragraphs 37, 39.]

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16. **Referring to claim 25**, *Cochran* teaches wherein the program further causes, when executed: receiving, prior to the sending, a request to register the headless device and its corresponding configuration specification using a device identification sent with the request [see paragraphs 37, 39]; recording the device identification of the headless device [see paragraphs 37, 39]; and storing the configuration specification of the headless device [see paragraphs 37, 39.]

17. **Referring to claim 26**, *Cochran* teaches wherein the returning comprises: receiving the configuration service request with a device identification and a routable address [see paragraphs 37, 39]; retrieving the configuration specification based on the device identification [see paragraphs 37, 39]; and sending the configuration specification, retrieved by the retrieving, to the routable address [see paragraphs 37, 39.]

18. **Referring to claim 27**, *Cochran* teaches a computer-readable medium encoded with a program for self-initiated configuration, the program causing, when executed: determining a routable address [see paragraphs 37, 39]; requesting a configuration service mechanism to retrieve a configuration specification of a headless device according to a device identification of the headless device and to send the configuration specification to the routable address [see paragraphs 37, 39]; receiving the

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configuration specification, retrieved using a device identification and sent from the configuration service mechanism to the routable address [see paragraphs 37, 39]; and configuring the headless device according to the configuration specification [see paragraphs 37, 39.]

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cochran et al. U.S. Patent Application Publication No.: 2002/0161867 A1, hereinafter '*Cochran*.'

21. **Referring to claim 21**, *Cochran* teaches a headless device, comprising: a communication mechanism for performing communications and a self-initiated configuration mechanism for configuring the headless device via a configuration service

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mechanism through the communication mechanism [see paragraphs 37, 39] however, does not set forth the limitation of a time out mechanism for controlling the receiver to receive the configuration specification within a length of time determined according to a time out condition.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that it was old and well know in the computer art to get the advantage of saving system resources by setting a time out condition on receiving configuration specification to prevent the receiver form falling into an infinite wait-state loop. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include of a time out mechanism for controlling the receiver to get this advantage.

22. Claims 4-6, 8-9, 19 and 28 are rejected under 35.

U.S.C. 103(a) as being unpatentable over Cochran et al. U.S.

Patent Application Publication No.: 2002/0161867 A1, hereinafter

'Cochran' as applied to claims 1, 7, 17, 27 above, and further

in view of Gitlin et al U.S. Patent Number: 6,691,170 B1,

hereinafter 'Gitlin.'

23. **Referring to claims 4, 8, 19, 28, Cochran** teaches

requesting, if an address for a server, which manages allocation

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of routable addresses across network, can be retrieved from the self-initiated configuration mechanism, a routable address from the server [see paragraphs 6, 50] however does not set forth the limitation of selecting, if the address for the server can not be retrieved from the self-initiated configuration mechanism, a routable address from at least one alternative routable address stored in the self-initiated configuration mechanism; and requesting the configuration from the configuration service mechanism using the device identification, that is to be used to identify the configuration specification, and the routable address, to where the configuration specification of the headless device is to be returned. *Gitlin* teaches a use of an alternative routable address [see *Gitlin* column 3, lines 11-25] in order to avoid communication conflicts.

One of ordinary skill in the art at the time of applicant's invention would have clearly recognized that it is quite advantageous for system of *Cochran* to be use an alternate address in order to avoid communication conflicts. It is for this reason that one of ordinary skill in the art would have been motivated to implement *Cochran's* system with the ability to use an alternate address in order to avoid communication conflicts.

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24. **Referring to claim 5**, *Cochran* teaches receiving the configuration service request with the device identification and the routable address [see paragraphs 37, 39]; retrieving the configuration specification based on the device identification [see paragraphs 37, 39]; and sending the configuration specification, retrieved by the retrieving, to the routable address [see paragraphs 37, 39.]

25. **Referring to claim 6**, *Cochran* teaches receiving a request to update the existing configuration specification of a headless device, the request including a device identification of the headless device [see paragraphs 37, 39]; and updating the existing configuration specification of the headless device according to the request to generate updated configuration specification [see paragraph 40]; and replacing the existing configuration specification with the updated configuration specification [see paragraphs 37, 39.]

26. **Referring to claim 9**, *Cochran* teaches a headless device, comprising: a communication mechanism for performing communications and a self-initiated configuration mechanism for configuring the headless device via a configuration service mechanism through the communication mechanism [see paragraphs 37, 39] however, does not set forth the limitation of activating a time out mechanism that enforces a time out control according

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to a time out condition, the time out condition defining a length of time; if the configuration specification is not received within the length of time and if the routable address is determined by the selecting, returning to the selecting; and if the configuration specification is not received within the length of time and if the routable address is determined by the server, returning to the requesting the configuration specification. however, does not set forth the limitation of a time out mechanism for controlling the receiver to receive the configuration specification within a length of time determined according to a time out condition.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that it was old and well know in the computer art to get the advantage of saving system resources by setting a time out condition on receiving configuration specification to prevent the receiver form falling into an infinite wait-state loop. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include of a time out mechanism for controlling the receiver to get this advantage.

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Conclusion

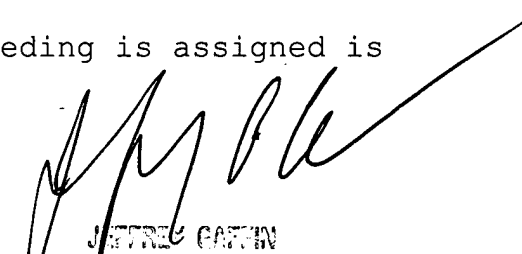
27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following documents have been made record of to further show the state of the art as it pertains to configuring heedless devices:

Gold U.S. Patent Number: 6,754,767 B2

Poirier et al. U.S. Pat. App. No.: 2002/0156898 A1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niketa I. Patel whose telephone number is (571) 272 4156. The examiner can normally be reached on M-F 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571) 272 4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


JEFFREY GAFFIN
SUPERVISOR / PATENT EXAMINER
TECHNOLOGY CENTER 2100

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12/04/2004